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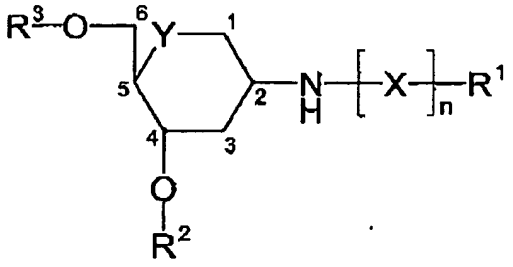
Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of claims:

1. (Currently Amended) A compound of the formula I,

(Formula I)



wherein Y is selected from the group consisting of O, S, and NR^4, whereby R^4 is alkyl-, alkenyl, alkinyl, aryl-, acyl-, a protecting group or H,

wherein X is a linking moiety ~~whereby~~ in which n is 0 or 1,

wherein R^1 is independent from R^2, R^3 and R^4, and wherein R^1 is selected from the group consisting of

(1) a protecting group,
(2) a label, and
(3) a solid phase,

with the proviso that R^1 is not a heterocyclic base,

wherein R^2 and R^3 are independent from each other and independent from R^1 or R^4, and wherein R^2 and R^3 are selected from the group consisting of

(1) ~~–H~~,
(2) a protecting group,
(3) a solid phase and a linking moiety X,
(4) a phosphoramidite,
(5) a H-phosphonate, and
(6) a triphosphate,

with the proviso that R^3 but not R^2 can be triphosphate and R^1 is not a solid phase if R^3 is a triphosphate,

with the proviso that R^2 and R^3 are not both a solid phase, not both a phosphoramidite, not both a H-phosphonate, not both -H or not both a protecting group, or not a phosphoramidite and a H-phosphonate, or not a solid phase and a phosphoramidite, or not a solid phase and a H-phosphonate,

and with the proviso that when one residue selected from the group consisting of R^1, R^2 or R^3 is a solid phase then the other two residues selected from the group consisting of R^1, R^2 or R^3 are not a solid phase.

2. (Currently Amended) A compound according to claim 1, ~~characterised in that~~ wherein the linking moiety X comprises carbon and oxygen atoms.

3. (Currently Amended) A compound according to ~~any of the claims 1 or 2~~ claim 1, ~~characterised in that~~ wherein the linking moiety X comprises $-(CH_2)_m$ or $-(CH_2CH_2O)_m$ moieties,
whereby m is an integer number between 1 and 10.

4. (Currently Amended) A compound according to ~~any of the claims 1 to 3~~ claim 1, ~~characterised in that~~ wherein the linking moiety X is selected from the group consisting of
(1) $-CO-(CH_2)_m-Z-$
(2) $-CO-(CH_2CH_2O)_m-CH_2CH_2-Z-$
whereby m is an integer number between 0 and 10 and
whereby Z is selected from the group consisting of NH, CO, O and S.

5. (Currently Amended) A compound according to claim 4, ~~characterised in that~~ wherein Y is O.

6. (Currently Amended) A compound according to ~~any of the claims 1 to 5~~ claim 1, ~~characterised in that~~ wherein the protecting group is selected from the group consisting of

(1) fluorenylmethoxycarbonyl-,
(2) dimethoxytrityl-,
(3) monomethoxytrityl-,
(4) trifluoroacetyl-,

(5) levulinyl-, and

(6) silyl-.

7. (Currently Amended) A compound according to ~~any of the claims 1 to 6~~ claim 1, ~~characterised in that,~~ wherein the label is selected from the group consisting of

(1) a fluorescein dye,

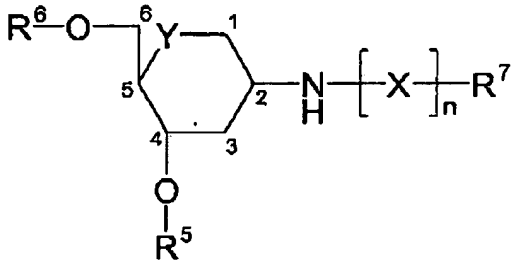
(2) a rhodamine dye,

(3) a cyanine dye, and

(4) a coumarin dye.

8. (Currently Amended) A compound according to ~~any of the claims 1 to 7~~ claim 1, ~~characterised in that~~ wherein the compound is a derivative of 1,5-anhydro-2-amino-2,3-dideoxy-D-mannitol or 1,5-anhydro-2-amino-2,3-dideoxy-D-glucitol.

9. (Currently Amended) An oligomeric compound comprising a monomeric unit ~~with~~ of formula II:



(formula II)

wherein Y is selected from the group consisting of O, S and NR^4,
whereby R^4 is alkyl-, alkenyl, alkinyl, aryl-, acyl-, a protecting group or H;

wherein X is a linking moiety ~~whereby~~ in which n is 0 or 1;

wherein R^7 is independent from R^4, R^5 and R^6 and wherein R^7 is selected from the group consisting of

(1) ~~–~~H,

(2) a protecting group,

(3) a label,

(4) an oligonucleotide, and

(5) a solid phase,

with the proviso that R^1 is not a heterocyclic base,

wherein R^5 and R^6 are independent from each other and independent from R^4 or R^7,

and wherein R^5 and R^6 are selected from the group consisting of

(1) –H,

(2) a solid phase and a linking moiety X,

(3) a phosphate, and

(4) a phosphodiester with a nucleotide, a modified nucleotide, an oligonucleotide or a modified oligonucleotide,

with the proviso that R^5 and R^6 are not both –H, both a solid phase and a linking moiety X, both a phosphate, or –H and a phosphate,

with the proviso that when one residue selected from the group consisting of R^5, R^6 or R^7 is a solid phase then the other residues selected from the group consisting of R^5, R^6 or R^7 are not a solid phase.

10. (Currently Amended) The oligomeric compound according to claim 9, ~~characterised in that~~ wherein the linking moiety X comprises carbon and oxygen atoms.

11. (Currently Amended) The oligomeric compound according to claim 9, ~~characterised in that~~ wherein the linking moiety X comprises $-(CH_2)_m$ or $-(CH_2CH_2O)_m$ moieties in which ~~whereby~~ m is an integer number between 1 and 10.

12. (Currently Amended) The oligomeric compound according to ~~any of the claims 9 to 11~~ claim 9, ~~characterised in that~~ wherein the linking moiety X is selected from the group consisting of

(1) $-CO-(CH_2)_m-Z-$

(2) $-CO-(CH_2CH_2O)_m-CH_2CH_2-Z-$

whereby m is an integer number between 0 and 10 and

whereby Z is selected from the group consisting of NH, CO, O and S.

13. (Currently Amended) The oligomeric compound according to claim 12, ~~characterised in that~~ wherein Z is NH and Y is O.

14. (Currently Amended) The oligomeric compound according to ~~any of the claims 9 to 13~~ claim 9, ~~characterised in that~~ wherein the protecting group is selected from the group consisting of
(1) fluorenylmethoxycarbonyl-,
(2) dimethoxytrityl-,
(3) monomethoxytrityl-,
(4) trifluoroacetyl-,
(5) levulinyl-, ~~or~~ and
(6) silyl-.

15. (Currently Amended) The oligomeric compound according to ~~any of the claims 9 to 14~~ claim 9, ~~characterised in that~~ wherein the label is a fluorescent label.

16. (Currently Amended) The oligomeric compound according to ~~any of the claims 9 to 15~~ claim 9, ~~characterised in that~~ wherein the modified oligonucleotide comprises a monomeric unit that is
(1) a linking moiety with a second label attached to a nucleotide, or
(2) a linking moiety with a second label attached to a modified nucleotide or a non-nucleotide compound.

17. (Currently Amended) The oligomeric compound according to claim 16, ~~characterised in that~~ wherein the second label is a second fluorescent label.

18. (Currently Amended) The oligomeric compound according to ~~any of the claims 15 to 17~~ claim 15, ~~characterised in that,~~ wherein the fluorescent label or the second fluorescent label is selected from the group consisting of
(1) a fluorescein dye,
(2) a rhodamine dye,
(3) a cyanine dye, and
(4) a coumarin dye.

19. (Currently Amended) The oligomeric compound according to ~~any of the claims 9 to 18~~ claim 9, ~~characterised in that~~ wherein the oligomeric compound cannot be ~~extended~~ enzymatically.

20. (Currently Amended) The oligomeric compound according to claim 19, ~~characterised in that~~ wherein the monomeric unit at the 3'-end of the oligomeric compound is a 2',3'-dideoxy-nucleotide or a 3'-phosphorylated nucleotide.

21-23. (Canceled)

24. (Currently Amended) A method for the chemical synthesis of an oligomeric compound according to ~~any of the claims 9 to 20~~ claim 9, ~~comprising the steps of~~ comprising:

(a) providing a compound of claim 1, wherein R^2 is phosphoramidite and R^3 is a protecting group,

(b) providing a 5'-OH group of a nucleoside or a modified nucleoside bound to a solid phase by the 3'-OH group, or
providing a 5'-OH group of an oligonucleotide or a modified oligonucleotide bound to a solid phase by the 3'-OH group of the nucleotide or the modified nucleotide at the 3'end of the oligonucleotide or the modified oligonucleotide,

(c) reacting the phosphorous atom of the phosphoramidite with the 5'-OH group to form a phosphite ester and oxidizing the phosphite ester to a phosphotriester,

(d) optionally reacting any unreacted 5'-OH group of step (c) with another compound to prevent any further reactions of the unreacted 5'-OH group of step (c) in the following steps,

(e) optionally repeating steps (a) to (d) with phosphoramidite derivatives of nucleosides or modified nucleosides after removal of the protecting group of the compound of claim 1, and

(f) cleaving the oligomeric compound from the solid phase, removing the protecting groups and thereby converting the phosphotriester to a phosphodiester, and

(g) isolating the oligomeric compound.

25. (Currently Amended) A method for the enzymatic synthesis of a polymeric compound or an oligomeric compound according to ~~any of the claims 9 to 20~~ claim 9, comprising ~~the steps of~~:

(a) incubating a compound of claim 1, wherein R^3 of said compound is a triphosphate, with a 3'-OH group of the nucleotide or modified nucleotide at the 3'-end of a polynucleotide, oligonucleotide or a modified oligonucleotide in the presence of terminal transferase, whereby the compound is attached to the 3'-OH, and whereby pyrophosphate is released, and

(b) isolating the polymeric or oligomeric compound.

26. (Currently Amended) A method to attach a label to an oligomeric compound of claim 9, whereby R^7 of the oligomeric compound is a protecting group, comprising:

(a) removing the protecting group R^7, and

(b) reacting the deprotected moiety of the oligomeric compound with the label.

27. (Currently Amended) A method for the detection of a target nucleic acid in a sample comprising: ~~comprising the steps of~~

(a) providing a sample suspected to contain the target nucleic ~~acid~~ acid,

(b) providing an oligomeric compound according to claim 9, which is essentially complementary to a part or all of the target nucleic acid,

(c) optionally amplifying the target nucleic acid with a template-dependent DNA polymerase and ~~primers~~ primers,

(d) contacting the sample with the oligomeric compound under conditions for binding the oligomeric compound to the target nucleic acid, and

(e) determining the binding product or the degree of hybridization between the target nucleic acid and the oligomeric compound as a measure of the presence, absence or amount of the target nucleic acid.

28. (Previously Amended) The method according to claim 27, wherein the oligomeric compound is an oligomeric compound.

29. (Currently Amended) The method according to ~~any of the claims 27 to 28~~ claim 27, ~~whereby~~ wherein in step (d) the degree of hybridization is determined by the quantity of the first or second fluorescent label that is released from the oligomeric compound hybridized to the target nucleic acid by exonuclease hydrolysis by the template-dependent DNA polymerase.

30. (Currently Amended) A method for detecting the presence or absence of a target nucleic acid in a sample, comprising ~~the steps of~~:
performing at least one cycling step, wherein a cycling step comprises an amplifying step and a hybridizing step, wherein said amplifying step comprises contacting said sample with primers to produce a an amplification product if target nucleic acid is present in said sample, wherein said hybridizing step comprises contacting said sample with a pair of probes, wherein at least one of the probes is an oligomeric compound according to claim 9 ~~any of the claims 9 to 20~~ wherein R^7 is a label, wherein the members of said pair of probes hybridize to said amplification product within no more than five nucleotides of each other, wherein a first probe of said pair of probes is labeled with a donor fluorescent label and wherein a second probe of said pair of probes is labeled with ~~a corresponding~~ an acceptor fluorescent label; and detecting the presence or absence of fluorescence resonance energy transfer between said donor fluorescent label of said first probe and said acceptor fluorescent label of said second probe, wherein the presence of fluorescence resonance energy transfer is indicative of the presence of the target nucleic acid in the sample, and wherein the absence of fluorescence resonance energy transfer is indicative of the absence of the target nucleic acid in the sample.

31. (Currently Amended) ~~Kit of parts containing~~ A kit for detecting a target nucleic acid in a sample, comprising:
- a template-dependent polymerase having 3' to 5' exonucleolytic activity,
- a set of primers,
- nucleotides, and
- an oligomeric compound according to claim 9, wherein R^7 is a label.